

REMARKS

Claims 1 – 16 are presented for examination and are subject to a restriction requirement as provided below.

The Examiner requires restriction between the following claims under 35 USC §§ 121 and 372:

Group I, claim(s) 1 – 16, drawn, *inter alia*, to compounds of formula (I) wherein Het is 1,3,4-thiadiazol-2-one;

Group II, claims 1 – 16, drawn, *inter alia*, to compounds of formula (I) wherein Het is 1,3,4-oxadiazol;

Group III, claims 1 – 16, drawn, *inter alia*, to compounds of formula (I) wherein Het is 1,2,4-triazol-3-one;

Group IV, claims 1 – 16, drawn, *inter alia*, to compounds of formula (I) wherein Het is 1,2,3,4-tetrazol-5-one;

Group V, claims 1 – 16, drawn, *inter alia*, to compounds of formula (I) wherein Het is pyrazin-2-one;

Group VI, claims 1 – 16, drawn, *inter alia*, to compounds of formula (I) wherein Het is pyrimidin-2-one;

Group VII, claims 1 – 16, drawn, *inter alia*, to compounds of formula (I) wherein Het is pyridazin-3-one; and

Group VIII, claims 1 – 16, drawn, *inter alia*, to compounds of formula (I) wherein Het is other.

Applicants are required to elect one group for examination even if with traverse. Applicants hereby elect to prosecute the invention of group IV, claims 1 - 16, with right of traverse. Claims 1 - 16 read on the elected group IV - which encompasses provisionally elected species 1.11 and 1.12. Applicants reserve the right to file one or more divisional applications directed to any non-elected subject matter that is not rejoined with the elected invention.

Applicants hereby traverse the requirement for restriction in that the elected invention relates to novel heterocyclic allyl derivatives of formula I. Applicants contend that a reasonable search could go to the compounds of formula I, to the related methods of use of such compounds and to the pesticidal compositions and a process for preparation thereof. Accordingly, the

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Examiner is respectfully requested to reconsider the requirement for restriction and withdrawal of the same. Additionally, the current guidelines on restriction practice recommend the examination of different sets of claims when such examination would not be unduly burdensome or prolonged. It is contended that this guideline would apply to the instant set of claims.

Applicants maintain that they have made a complete response to the restriction requirement of the Examiner and that the instant application and claims are now in condition for examination on their merits and for allowance. A Notice of Allowance is respectfully solicited.

Respectfully submitted,

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